

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD MEETING

City of St. George Council Chambers

175 East 200 North

St. George, Utah 84770

March 11, 2002

1:30 PM

UTAH WATER QUALITY BOARD MEMBERS PRESENT

John Cushing
J. Ann Wechsler
Robert G. Adams
KC Shaw
Douglas E. Thompson

Ray Child
Dianne Nielson
Ron Sims
Nan Bunker

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Don Ostler, Faye Bell, Jay Pitkin, Nancy Hess, Theron Miller, Chris Imbrogno, Tom Toole, J.D. McDonald, Fred Pehrson, Wayne Thomas

OTHERS PRESENT

Name

Doug Evans
Scott Rogers
Bryon Elwell
Ron Lawson
Doug Nielsen
John Ivers
E. Chad Johnson
Don Morley
Durk Bailey
Tracy Allen
Issa Hamud
Mike Mecham
Kevin P. Hansen
Dee C. Hansen

Organization Representing

Oakley City
Aqua Engineering
Michael Baker Corporation
Mt. Green SID
Sunrise Engineering
Sunrise Engineering
Fairview Councilman
Fairview City, Mayor
Hooper City
J.U.B. Engineers (Hooper)
City of Logan
City of Logan
City of Logan
Psomas (City of Logan)

Chairman Shaw called the Board meeting to order at 1:35 PM. He welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE JANUARY 18, 2002 MEETING

Action Taken: It was moved by Ms. Wechsler, seconded by Mr. Sims and unanimously carried to approve the minutes of the January 18, 2002 meeting without any changes.

Applications for Alternate BOD & TSS limits for Mountain Green: Mr. Imbrogno introduced Ron Lawson of Mt. Green Sewer Improvement District to the Board. Mr. Imbrogno presented a request to grant alternative permit limits for BOD₅ and TSS for Mt. Green. Included in the packet on Page 2.1 is a summary of how Mt. Green lagoon system complies with the required criteria. Staff's recommendation is that the Water Quality Board grant approval of Mt. Green's request for alternative limits of 45 mg/l for BOD₅ and TSS for the 30 day average, and 65 mg/l for BOD₅ and TSS for the 7 day average. Mr. Lawson of Mt. Green explained to the Board the areas that Mt. Green is addressing are related to the water quality issues.

Action Taken: It was moved by Mr. Sims and seconded by Mr. Adams and unanimously carried to grant Mt. Green's request for alternative limits.

Logan City Request for a Second Extension of the Deadline for Compliance with Ammonia Limits – Mayor Thompson and Ron Sims both declared a conflict of interest on this issue and listened to the discussion in the audience. Mr. Pitkin introduced Kevin Hansen of Logan City and asked the Board to refer to the information in the packet on Pg. 3.1 and the memo which was mailed separately to the Board members. Three years ago when Logan's discharge permit was reissued, the limits for ammonia and some other parameters were substantially changed due to more accurate information on the receiving water. In November 2001, Logan City was notified by the staff the new limits for Logan's discharge permit would be 3.2 mg/l in the summer and 3.8 mg/l in the winter (based on the effluent flows for these seasons), which are significantly more stringent than those currently in the permit. Even though Logan has earlier been given an extension to meet more stringent ammonia limits, staff supports Logan City's request for the reasons listed in the memo on page 2. Staff believes the additional time is needed to assess all of the operational variables and assumptions to determine how to optimally operate the system. Three years is a reasonable amount of time to complete design and construction, establish plant growth, and learn how to best operate the system in order to meet the more stringent ammonia limits. If the Board chooses to grant this request, staff recommends the conditions on Page 3 of the memo be imposed. Mr. Hansen gave a presentation on what Logan City proposes to do to meet the more stringent requirements. In response to questions from the Board, Mr. Hansen indicated his confidence that the wetlands systems would work to sufficiently reduce ammonia. He stated the city's willingness to accept the conditions in the staff memo. He said he realized storage would be needed in the winter months when ammonia removal would decrease due to cold temperatures. Mr. Shaw stated repeatedly that he felt that wetlands would work for ammonia removal, but that the ammonia removal will cease at low temperatures, and that Logan must carefully evaluate whether they have sufficient winter storage capacity to contain the effluent when the discharge limits could not be met. Mr. Hansen said they

would do whatever was needed to meet their permit limits, both during the interim period and long term.

Action Taken: It was moved by Mayor Cushing and seconded by Mr. Adams and unanimously carried to grant Logan City a three year extension on the deadline for compliance with ammonia limits with the following conditions in addition to those on pg. 3 of the memo: 1) Logan City will send the Water Quality Board twice yearly progress reports indicating if treatment goals are being met. In the spring 2003 the WQ Board will hear a report on how they came through the winter and if the report is negative, Logan City will submit a plan to solve the problem at that time; and 2) Logan City, prior to commencement of construction, will give the Water Quality Board a certification from a nationally recognized expert, such as Dr. Robert Kadlec, confirming that Logan City's system as designed, and with the winter storage capacity that is available or can be made available, will meet the ultimate effluent limits. Mayor Thompson and Ron Sims abstained from voting on this issue.

LOAN PROGRAM

Financial Assistance Status Report - Ms. Hess distributed to the Board the "Summary of Assistance Program Funds" updating them on the status. Some changes to the report have occurred since this document was prepared.

Oakley City (ACTION ITEM) - Oakley City is requesting funding assistance in the amount of \$600,000 from the Water Quality Board to assist with the design and construction of a \$1,684,000 project for a new 0.125 MGD wastewater treatment facility. Oakley has applied for and received a \$334,000 Community Development Grant for project planning and construction. The City has increased its user fees and impact fees knowing that this project would be necessary and currently has \$750,000 set aside to apply to the financing of the project. Staff recommends a \$200,000 hardship grant and a \$400,000 loan at 0% interest with a repayment term of twenty years. Mr. Evans added that since this is a new technology to Utah, they hope to document the acceptability of the process and make the information available to other communities.

Action Taken: It was moved by Mr. Child and seconded by Mayor Thompson and unanimously carried to approve Oakley City's funding request

Hooper City (ACTION ITEM) - Mr. McDonald introduced Mayor Bailey of Hooper City and Paul Taylor of J-U-B Engineers, Inc. Hooper City is requesting a Planning Advance in the amount of \$55,000 for a Wastewater Facility Plan. Mr. McDonald explained that Hooper City wants to study its wastewater needs and provide information to the public to allow an informed community decision concerning the project. The Facility Plan will identify the wastewater issues in the community and provide both technical and financial information. Ms. Wechsler asked how the public support is for the project. Mayor Bailey explained that some years ago when Hooper City was still unincorporated the people voted it down, however now that Hooper is incorporated they have felt a change in the community and feel confident on April 18th when they hold a community meeting that support will be evident for the study.

Action Taken: It was moved by Mr. Adams and seconded by Mr. Sims and unanimously carried to approve Hooper City's request for a \$55,000 Planning Advance with the following special conditions: 1) If a wastewater project is implemented as a result of this study, the Planning Advance must be expeditiously repaid. If a project is not implemented the City will nevertheless be expected to repay the Planning Advance; 2) Hooper City must deposit its \$5,000 into the supervised project escrow account before the Water Quality Board Planning Advance is deposited into the account and 3) Hooper City must have an engineering agreement and plan of study approved by the Division of Water Quality prior to beginning the study.

Fairview City (ACTION ITEM) – Mr. McDonald introduced Mayor Morely and Mr. Johnson of Fairview City, and Mr. Ivers from Sunrise Engineering. Fairview City is requesting an increase to its Planning Advance in the amount of \$65,500 to revise the draft plan that was recently completed. The proposed revision to the Fairview City Facility Plan will identify a project that will meet the long-term needs of the community

Action Taken: It was moved by Mayor Cushing and seconded by Mayor Thompson and unanimously carried to approve Fairview City's \$65,500 request for a planning advance subject to the following special conditions: 1) If a wastewater project is implemented as a result of this study, the Planning Advance must be expeditiously repaid. If a project is not implemented the City will nevertheless be expected to repay the Planning Advance; 2) Fairview City must have an engineering agreement and plan of study approved by the Division of Water Quality prior to beginning the study

Request to initiate rulemaking on R317-10 for Certification of Wastewater Works Operators (Action Item) - Mr. Pitkin referred the board to Section 5

describing the proposed changes in the R317-10.5.D and R317-10-11.E which include clarifying: 1) Acceptable contract provisions if a community elects to contract for the services of a certified wastewater operator; and 2) the period over which CEUs toward re-certification must be carried.

Action Taken: **Motion for public comment on R317-10 was moved by Mr. Sims, seconded by Mayor Cushing, and unanimously carried to authorize staff to proceed with the rulemaking process.**

STAFF REPORTS

List of Impaired Waterbodies – streams, lakes & reservoirs 303(d) list 2002 – Mr. Toole and Mr. Miller gave a presentation on Impaired Waterbodies in Utah and an overview of the classifications, explaining to the Board what each classification means. States are required to report to congress on the status of the water quality in their states. In conjunction with that, the states are required to provide a list of those waters that are impaired every two years on April 1st.

2001 User Charge Survey - Mr. Pitkin referred to Board to Tab 6.15 of the packet explaining the results of the state-wide user charge survey to the Water Quality Board

Report on Legislative and Budget Issues: Mr. Ostler informed the Board there was a possibility that we may lose some of our loan funds during this session of the legislature. There is a bill sponsored by Senator Blackham, which calls for the removal during FY 2003 of \$10 million dollars of sales tax money from water funding programs, \$2.5 million of which come from funds earmarked for wastewater projects. Additionally, there would be a reduction in these funds of \$250,000 for FY 2002. There will be some wastewater projects that will likely be delayed in FY 2003. The Governor's office feels that sales tax revenues may not be the best way to fund the water loan programs.

OTHER BUSINESS

NEXT MEETING

The next meeting of the Board will be held on April 17, 2002 at the Dixie Convention Center in St. George, Utah.

K. C. Shaw, Chairman